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In re application of:

GERARD *et al.*

Appl. No.: 09/245,025

Filed: February 5, 1999

For: **Compositions and Methods for  
Reverse Transcription of Nucleic  
Acid Molecules**

Art Unit: 1652

Examiner: Tung, P.

Atty. Docket: 0942.4330003/RWE/BJD

### Letter

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fifth Supplemental Information Disclosure Statement (in duplicate);
2. Three pages of Form PTO-1449 citing 12 documents;
3. A copy of each of the 12 cited documents; and
4. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

Date: April 17, 2001  
1100 New York Avenue, N.W., Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerard *et al.*

Appl. No. 09/245,025

Filed: February 5, 1999

For: **Compositions and Methods for  
Reverse Transcription of Nucleic  
Acid Molecules**

Confirmation No.

Art Unit: 1652

Examiner: Tung, P.

Atty. Docket: 0942.4330003/RWE/BJD



**Fifth Supplemental Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Supplemental Information Disclosure Statement filed on September 14, 2000, in connection with the above-captioned application. A copy of each document is also provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following concise explanation of the relevance of the non-English language document, Document No. AN2, cited on Form PTO-1449.

Document No. AN2, Patent No. JP 7-39378, is in the Japanese language. The relevance of this document can be ascertained by reference to the unverified English language abstract for this reference, obtained from Derwent WPI, which is provided herewith as Document No. AS26.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

Date: April 17, 2001

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